



## **Information Technologies – Documents on the Web – July 2006**

### **GOVERNMENT DOCUMENTS:**

#### **RECYCLING TECHNOLOGY PRODUCTS: AN OVERVIEW OF E-WASTE POLICY ISSUES**

Laureen Daly. Office of Technology Policy. Technology Administration. U.S. Department of Commerce. July 2006. 152 pages.

<http://www.technology.gov/reports/2006/Recycling/Beg-Appendix7.pdf>

“Recycling electronic products has become an issue for communities around the world as concerns over waste management issues have grown. Over 10 countries have laws on recycling discarded electronics and more are developing legislation. In the United States, five states have banned the disposal of cathode ray tubes from television and computer monitors in landfills. Four states have passed statewide electronics recycling laws, yet each has very different requirements for manufacturers, retailers, local governments and consumers.”

#### **ANNUAL REPORT TO CONGRESS FOR FY 2005 PURSUANT TO THE DO NOT CALL IMPLEMENTATION ACT ON IMPLEMENTATION OF THE NATIONAL DO NOT CALL REGISTRY**

Federal Trade Commission (FTC). July 2006. 20 pages.

<http://www.ftc.gov/os/2006/07/P034305FiscalYear2005NationalDoNotCallRegistryReport.pdf>

“The National Do Not Call Registry is, by virtually every available measure, an effective consumer protection initiative. By the end of FY 2005, more than 107 million telephone numbers were registered, and the available data show that compliance with the National Do Not Call Registry provisions of the Amended Telemarketing Sales Rule (“TSR”) is high and that, as a result, consumers are receiving fewer unwanted telemarketing calls.”

#### **LOCAL TELEVISION ACT: STATUS OF SPENDING FOR FISCAL YEAR 2005**

Government Accountability Office (GAO). July 7, 2006. 7 pages.

<http://www.gao.gov/new.items/d06858r.pdf>

“In December 2000, the Congress passed the Launching Our Communities' Access to Local Television Act of 2000 (LOCAL TV Act). The act created the Local Television Loan Guarantee Program and established the LOCAL Television Loan Guarantee Board to finance projects to provide access to signals of local television stations to households in areas with limited or no access to such signals from a commercial, for-profit satellite service or other multichannel video provider. The program authorizes the board to approve loan guarantees up to 80 percent of loans, totaling no more than \$1.25 billion in aggregate; however, since inception of the program, no loan guarantees have been approved and the program has not been utilized.”

#### **COPYRIGHT EXEMPTIONS FOR DISTANCE EDUCATION: 17 U.S.C. § 110(2), THE TECHNOLOGY, EDUCATION, AND COPYRIGHT HARMONIZATION ACT OF 2002**

Jared Huber, Brian T. Yeh and Robin Jeweler. Congressional Research Service (CRS). July 6, 2006. 14 pages.

[http://www.ipmall.info/hosted\\_resources/crs/RL33516\\_060706.pdf](http://www.ipmall.info/hosted_resources/crs/RL33516_060706.pdf)

“The Technology, Education, and Copyright Harmonization Act of 2002 (TEACH Act) updated 17 U.S.C. § 110(2), the first distance education exemption under copyright law, to permit accredited nonprofit institutions to transmit copyrighted works during distance education programs without having to obtain the prior permission of the copyright holder, under certain limited conditions and in accordance with specified statutory procedures. This report provides a summary and analysis of the provisions of the TEACH Act, including an explanation of the types of works exempted for distance education purposes, the conditions and limitations placed on the ability to use exempted works, the exemption eligibility requirements for distance educators and students, the limitations on copyright infringement liability of eligible claimants, and the mandatory procedural requirements that transmitting institutions must follow to safeguard copyrighted materials from infringement.”

#### ACCESS TO BROADBAND NETWORKS

Charles B. Goldfarb. Congressional Research Service (CRS). June 29, 2006. 30 pages.

<http://italy.usembassy.gov/pdf/other/RL33496.pdf>

“Debate has begun about what statutory and regulatory framework is most likely to foster innovation and investment both in physical broadband networks and in the applications that ride over those networks. Perhaps the most contentious element in that debate is whether competitive marketplace forces are sufficient to constrain the broadband network providers from restricting independent applications providers’ access to their networks in a fashion that would harm consumers and innovation.”

#### CONGRESSIONAL HEARINGS:

##### CYBER SECURITY: RECOVERY AND RECONSTITUTION OF CRITICAL NETWORKS

U.S. Senate. Committee on the Homeland Security and Governmental Affairs. Subcommittee on Federal Financial Management, Government Information, and International Security. July 28, 2006.

<http://hsgac.senate.gov/index.cfm?Fuseaction=Hearings.Detail&HearingID=381>

“On July 19, 2005, the Subcommittee held a hearing on the importance of cybersecurity to our nation’s critical infrastructures. The hearing highlighted the importance of forging a public/private partnership to protect critical infrastructures and focused on challenges facing DHS in facilitating and leveraging such a partnership. Important lessons learned through the September 11 terrorist attacks and the response to Hurricane Katrina further emphasized these challenges. Today, despite spending millions of dollars over the past year, the Department of Homeland Security continues to struggle with how to effectively form and maintain effective public/private partnerships in support of cybersecurity—including how to protect Internet infrastructure and how to recover it in the case of a major disruption. The public/ private partnership necessary to accomplish the goals of DHS in securing computer networks continues to remain a public/ private divide. Interested in making progress on a public/private partnership for cybersecurity of our nation’s critical infrastructures, the objectives of the hearing are to highlight immediate steps that DHS and the private sector can take to formalize a partnership and to ensure effective response and recovery to major cyber network disruptions.”

##### HIGH-PERFORMANCE COMPUTING

U.S. Senate. Committee on Commerce, Science, and Transportation. Subcommittee on Technology, Innovation, and Competitiveness. July 19, 2006.

[http://commerce.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing\\_ID=1776](http://commerce.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing_ID=1776)

“The fact that the U.S. currently holds the title of world’s fastest supercomputer does not herald a new era in U.S. leadership in high-performance computing any more than the loss of the number one position implied a loss of leadership. High-performance computing has been – and will continue to be – a cornerstone in the Government’s networking and information technology R&D portfolio. The clearest demonstration of progress over the past four years, however, should not be viewed in terms of the raw speed of the world’s fastest machine, but rather in the context of the growing focus on domestic high-performance computing policy, the unprecedented interagency coordination and collaboration on technical planning and implementation taking place within the Government research community, and the increasingly cooperative ties between the Government research community and the private sector.”

#### ICANN AND THE WHOIS DATABASE: PROVIDING ACCESS TO PROTECT CONSUMERS FROM PHISHING

U.S. House of Representatives. Committee on Financial Services. Subcommittee on Financial Institutions and Consumer Credit. July 18, 2006.

<http://financialservices.house.gov/hearings.asp?formmode=detail&hearing=491>

“Whois databases are information directories containing contact information about website operators. They represent an important tool for protecting consumers and promoting confidence in doing business online. The Internet Corporation for Assigned Names and Numbers, commonly referred to as ICANN, is currently engaged in a policy development process that could modify the information that is maintained on public Whois databases. In April 2006, ICANN’s Generic Names Supporting Organization (“GNSO”), the organizational body within ICANN that is evaluating the proposed changes to Whois databases, voted to limit the purpose of Whois databases to technical purposes only.”

#### H.R. 5319, THE DELETING ONLINE PREDATORS ACT OF 2006

U.S. House of Representatives. Committee on Energy and Commerce. Subcommittee on Telecommunications and the Internet. July 11, 2006.

<http://energycommerce.house.gov/108/Hearings/07112006hearing1974/hearing.htm>

“H.R. 5319 targets children’s use of social networking websites and chat rooms in schools and libraries. As participation in these Internet “social communities” rises daily in record numbers, so do the news reports of a multitude of potential dangers they pose. There is no question that the Internet does and will continue to provide innovative benefits to society far into the future. However, the protection of our children must be a priority of this government and of our society. We need to prevent predators from using the Internet, and social networking sites in particular, to prey on children.”

#### SEXUAL EXPLOITATION OF CHILDREN OVER THE INTERNET: HOW THE STATE OF NEW JERSEY IS COMBATING CHILD PREDATORS ON THE INTERNET

U.S. House of Representatives. Committee on Energy and Commerce. Subcommittee on Oversight and Investigations. July 10, 2006.

<http://energycommerce.house.gov/108/Hearings/07102006hearing1973/hearing.htm>

“The Internet has opened a window to the world right at our fingertips. However, this window opens both ways. The freedom to connect to the world anywhere at anytime brings with it the threat of unscrupulous predators and criminals who mask their activities with the anonymity the Internet provides to its users. And among its many applications, one of the most worrying developments of late has been the growth in what are known as “social networking sites.” Social networking sites like Myspace, Friendster, and Facebook have literally exploded in popularity in just a few short years. For adults, these sites are fairly benign. For children, they open the door to many dangers including online bullying and exposure to child predators that have turned the Internet into their own virtual hunting ground.”

## RESEARCH CENTER REPORTS:

### BUNDLING, PRODUCT CHOICE, AND EFFICIENCY: SHOULD CABLE TELEVISION NETWORKS BE ORDERED A LA CARTE?

Gregory S. Crawford. AEI-Brookings Joint Center for Regulatory Studies. Related Publication 06-22. July 2006. 32 pages.

<http://www.aei.brookings.org/admin/authorpdfs/page.php?id=1315>

“This paper conducts a numerical analysis of the impact of bundling on product choice by a multi-product monopolist and assesses the implications of the findings for cable television systems. This is in part motivated by a current policy debate in the industry: ongoing price increases for bundles of cable television networks have prompted calls for a la carte (component) pricing to improve consumer welfare. Application of existing models of product choice in the context of bundling are ambiguous: bundling typically enables firms to capture more economic surplus than does a la carte pricing, but can work too well, encouraging firms to offer products that reduce total welfare. Simulation for an economic environment calibrated to an average cable television system suggests bundling provides stronger incentives to offer networks than would a la carte sales, but may do so at significant cost to consumers. The incremental fixed and marginal costs to cable systems from offering a la carte sales and its impact in the advertising market are important factors in determining consumer benefits.”

### TELECOMMUNICATIONS, THE TRANSITION FROM REGULATION TO ANTITRUST

Alfred E. Kahn. AEI-Brookings Joint Center for Regulatory Studies. Related Publication 06-21. July 2006. 31 pages.

<http://www.aei.brookings.org/admin/authorpdfs/page.php?id=1314>

“In recognition of the fact that the competition among telecommunications platforms that demands deregulation is not ubiquitously effective, I endorse and expatiate on the objective “bright line” test for determining when and within what geographic market boundaries to deregulate. In accordance with that test, I then discuss the nature of the antitrust policy upon which falls responsibility for preserving the competition that is the logical surrogate for direct regulation. Following the rule of reason prescribed by the United States Supreme Court 95 years ago, I would have that policy concentrate on the behavior of the incumbent access providers and the intent that may logically be inferred from it. Finally, applying the two preceding expositions to the highly politically charged, largely ideological demands for a legislatively imposed rule of “network neutrality,” I contend that if the two previously recommended policies are followed, such a legislative mandate would be both supererogatory and counterproductive.”

### BLOGGERS: A PORTRAIT OF THE INTERNET'S NEW STORYTELLERS

Amanda Lenhart and Susannah Fox. The Pew Internet & American Life Project. Report. July 19, 2006. 33 pages.

<http://www.pewinternet.org/pdfs/PIP%20Bloggers%20Report%20July%2019%202006.pdf>

“A national phone survey of bloggers finds that most are focused on describing their personal experiences to a relatively small audience of readers and that only a small proportion focus their coverage on politics, media, government, or technology. Blogs, the survey finds, are as individual as the people who keep them. However, most bloggers are primarily interested in creative, personal expression – documenting individual experiences, sharing practical knowledge, or just keeping in touch with friends and family.”

## THINK TANK OPINION AND ANALYSIS:

#### WHAT U.S. BROADBAND PROBLEM?

Scott Wallsten and Seth Sacher. AEI-Brookings Joint Center for Regulatory Studies. Policy Matters 06-18. July 2006.

<http://www.aei.brookings.org/policy/page.php?id=259>

““Tenth is ten spots too low,” President Bush declared in 2004, referring to the share of Americans with high-speed Internet connections compared to other countries. Today, the U.S. doesn't even make the top ten. These comparisons have led to calls for government subsidies, investment, and regulations on how broadband providers can use and charge for their infrastructure. Policymakers and others hope that telecom legislation working its way through Congress will improve U.S. international broadband competitiveness. International comparisons, however, must be considered carefully. A closer look suggests that despite the hype, it's not clear that there is a problem.”

#### THE ROLE OF MUSIC LICENSING IN A DIGITAL AGE

Patrick Ross, Christian Castle, Mitch Glazier, Lee Knife and Michael Petricone. The Progress & Freedom Foundation. Progress on Point 13.18. July 2006. 32 pages.

[http://www.pff.org/issues-pubs/pops/pop13.18musiclicensing\\_transcript.pdf](http://www.pff.org/issues-pubs/pops/pop13.18musiclicensing_transcript.pdf)

“Do licenses prevent reasonable market transactions? Do the reduced transaction costs offset the dilution of intellectual property rights for artists? Are current licensing regimes balanced across content, services, and technologies? How are the licensing regimes responding to new disruptive technologies? What can Congress do to ensure balance in licensing and create an environment that invites new technologies while also appropriately rewarding artists?”

#### BEGINNING TO LIMIT "SOCIAL" REGULATION OF COMMUNICATIONS

Kyle D. Dixon. The Progress & Freedom Foundation. Progress on Point 13.17. July 2006. 11 pages.

[http://www.pff.org/issues-pubs/pops/pop13.17\\_socialreg.pdf](http://www.pff.org/issues-pubs/pops/pop13.17_socialreg.pdf)

“As the Senate maintains its status (for the moment) as the primary battleground for communications reform, issues such as video franchise reform and "network neutrality" continue to account for a disproportionate share of the debate, particularly as reported in the press. Given the scope and stakes associated with these issues, such preoccupation is understandable. This emphasis, however, increases the likelihood that Congress and commentators will not pay enough attention to the many other statutory provisions that legislators have proposed.”

#### SEEKING DÉTENTE: CABLEVISION AND THE CONTENT INDUSTRY

Patrick Ross. The Progress & Freedom Foundation. Progress Snapshot 2.18. July 2006. 5 pages.

[http://www.pff.org/issues-pubs/ps/2006/ps\\_2.18\\_cablevision.pdf](http://www.pff.org/issues-pubs/ps/2006/ps_2.18_cablevision.pdf)

“Once again the confluence of modern technology and content distribution has led to court. While many cable operators have arranged to rent customers digital video recorders (DVRs) so they can have TiVo-like control over their video content, Cablevision took the next step and decided to offer a TiVo-like service on their central server. They weren't the first cable operator to consider such a service, but they were the first to launch despite the fact that their content distribution license might not cover such a service. Their launch was met by a law suit by major content creators contending that, in fact, their distribution license did not cover such a service.”

#### INTERNET "ZOMBIE" THREAT NEEDS KILLER RESPONSE

Kevin A. Hassett. American Enterprise Institute (AEI). July 31, 2006.

[http://www.aei.org/publications/pubID.24728,filter.all/pub\\_detail.asp](http://www.aei.org/publications/pubID.24728,filter.all/pub_detail.asp)

“According to a recent report by University of Florida Professor Andrea Matwyshyn, about 15 billion spam e-mails are sent every day--and about 80 percent of those are sent by “spam-spewing zombies.” It's one thing to get a spam e-mail that advises you about the latest hot stock. The latest scams are far more pernicious. One of the most troubling practices is “phishing,” where e-mails that appear to be from legitimate sources trick recipients into revealing financial information to criminals. The criminals then use what they learn to adopt the victim's identity and make fraudulent transfers and purchases.”